

13281 U  
07/25/03

# BIRCH, STEWART, KOLASCH & BIRCH, LLP

INTELLECTUAL PROPERTY LAW  
8110 GATEHOUSE ROAD  
SUITE 500 EAST  
FALLS CHURCH, VA 22042-1210  
USA

(703) 205-8000

FAX: (703) 205-8050  
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com  
web: http://www.bskb.com

CALIFORNIA OFFICES:  
COSTA MESA, CALIFORNIA  
LOS ANGELES, CALIFORNIA

SCOTT L. LOWE  
PAUL C. LEWIS  
RICHARD J. GALLAGHER  
MARYANNE ARMSTRONG, PH.D.  
KECIA J. REYNOLDS  
KALPANA REDDY  
MARK E. OLDS  
ESTHER H. CHONG  
CATHERINE M. VOISINET\*  
EUGENE T. PEREZ  
CAROLYN T. BAUMGARDNER\*  
JOHN P. KEADY, PH.D.  
MARTIN R. GEISSLER\*  
J. ALISON GRABELL\*  
T. BENJAMIN SCHROEDER, PH.D.  
PERCY L. SQUARE  
CLINT A. Gerdine  
CRAIG A. McROBBIE

REG. PATENT AGENTS:  
FREDERICK R. HANDREN  
MAKI HATSUMI  
GARTH M. DAHLEN, PH.D.  
ROBERT E. GOOZNER, PH.D.  
KRISTI L. RUPERT, PH.D.  
MATTHEW T. SHANLEY  
SUSAN W. GORMAN, PH.D.  
ROBERT W. DOWNS  
CHAD J. BILLINGS  
CHRISTINE V. CASTILLON  
CARL T. THOMSEN  
SAM BHATTACHARYA

IRELL C. BIRCH  
AND C. STEWART  
JOSEPH A. KOLASCH  
JAMES M. SLATTERY  
MICHAEL K. MUTTER  
CHARLES GORENSTEIN  
WILLIAM D. MURPHY, JR.  
LEONARD R. SVENSSON  
ANDREW D. MEIKLE  
MARC S. WEINER  
JOE MCKINNEY MUNCY  
ROBERT J. KENNEY  
JOHN W. BAILEY  
MARK J. NUEL, PH.D.  
JAMES T. ELLER, JR.  
D. RICHARD ANDERSON  
THOMAS M. SMALL\*  
ROBERT A. SELDON\*  
JOHN A. SCILLIERI\*  
SANFORD ASTOR\*

OF COUNSEL:  
HERBERT M. BIRCH (1905-1996)  
BERNARD L. SWEENEY\*  
ELLIOT A. GOLDBERG\*  
WILLIAM L. GATES\*  
EDWARD H. VALANCE  
RUPERT J. BRADY (RET.)\*  
F. PRINCE BUTLER  
FRED S. WHISENHUNT (RET.)  
JAMES W. HELLWEGE  
QUENTIN R. "Rick" CORRIE  
ROBERT F. GNUSE  
DAVID R. MURPHY  
PHILIP K. YU\*

\*ADMITTED TO A BAR OTHER THAN VA.

Date: July 25, 2003

Docket No.: 0445-0339P

16447 U.S. PRO  
10/626559  
07/25/03

## MS PATENT APPLICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

As authorized by the inventor(s), transmitted herewith for filing is a patent application applied for on behalf of the inventor(s) according to the provisions of 37 C.F.R. § 1.41(c).

Inventor(s): TOYOSHIMA, Haruko; OKUDA, Yasuyuki

For: DISPOSABLE DIAPER CAPABLE OF BEING PUT ON EITHER FROM THE FRONT OR THE BACK OF A WEARER

Enclosed are:

- ☒ A specification consisting of Twenty-Four (24) pages
- ☒ Three (3) sheet(s) of formal drawings
- ☐ Applicant does not claim priority
- ☒ Applicant claims the right of priority under 35 U.S.C. § 119 based on Application No(s). 2002-218959, 2003-027631 and 2003-139690 filed in JAPAN on July 26, 2002, February 4, 2003 and May 16, 2003.
  - ☐ Certified copy(ies) is(are) attached hereto.
  - ☐ Certified copy(ies) will follow.

13281 U.S. PTO  
07/25/03

Docket No. 0445-0339P

- ☒ Amend the specification by inserting before the first line thereof the following:
- a. ☒ --This nonprovisional application claims priority under 35 U.S.C. § 119(a) on Patent Application No(s). 2002-218959, 2003-027631 and 2003-139690 filed in JAPAN on July 26, 2002, February 4, 2003 and May 16, 2003, which is(are) herein incorporated by reference.--
- b. ☐ --This nonprovisional application claims priority under 35 U.S.C. § 119(e) on U.S. Provisional Application No(s). filed on , which is(are) herein incorporated by reference.--
- ☒ Executed Declaration in accordance with 37 C.F.R. § 1.64 will follow
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27
- ☐ Preliminary Amendment
- ☐ Application Data Sheet in accordance with 37 C.F.R. § 1.76
- ☐ Information Disclosure Statement, PTO-1449 and reference(s)
- ☐ Other: \_\_\_\_\_
- ☐ Applicant requests early publication - \$300.00 publication fee
- ☐ Non-publication Request and Certification under 35 U.S.C. § 122(b) (2) (B) (i)

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$750.00	\$375.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	7-20=	0	x 18 = \$0.00	x 9= \$0.00
INDEPENDENT CLAIMS	1-3=	0	x 84 = \$0.00	x42= \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00
TOTAL			\$750.00	\$0.00

Docket No. 0445-0339P

- ☒ The application transmitted herewith is filed in accordance with 37 C.F.R. § 1.41(c). The undersigned has been authorized by the inventor(s) to file the present application. The original duly executed declaration together with the surcharge will be forwarded in due course.
- ☒ A check in the amount of \$750.00 to cover the filing fee is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
- ☒ Please send correspondence to:  
BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 02292  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

John W. Bailey, #32,881

P.O. Box 747

Falls Church, VA 22040-0747  
(703) 205-8000

JWB/jaf

0445-0339P

Attachment(s)

(Rev. 07/14/03)